

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CARLOS ROSARIO, JR.,

Plaintiff,

-against-

SANTANDER CONSUMER USA,

Defendant.

22-cv-10565 (AS) (OTW)

**ORDER**

**ONA T. WANG, United States Magistrate Judge:**

*Pro se* Plaintiff Carlos Rosario Jr. (“Mr. Rosario”) brought this action under the Truth in Lending Act (TILA), 15 U.S.C. §§ 1601-1667, the Fair Credit Reporting Act (FCRA), 15 U.S.C. § 1681, and the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692, alleging that Defendant Santander Consumer USA (“Defendant”) violated his rights in connection with a consumer loan for a vehicle. (See ECF 1). The Court granted Mr. Rosario’s request to proceed *in forma pauperis* (IFP), that is, without prepayment of fees, and directed the U.S. Marshals Service (“USMS”) to serve the summons and complaint on Defendant. (ECF 8). The USMS attempted service on June 8, 2023, but was unable to effectuate service to the address Mr. Rosario provided in his Complaint, noting that “Santander Consumer USA has not returned to the office since the Covid-19 Pandemic.” (ECF 13).

Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, given Mr. Rosario’s IFP status, the Court hereby extends the time to serve Defendant until **Monday, November 6, 2023**. Mr. Rosario is directed to file on the docket, **by Monday, October 9, 2023**, another mailing address for Defendant Santander Consumer USA to which Mr. Rosario would like the

USMS to attempt to serve Defendant a second and final time.

The Clerk of Court is respectfully directed to serve a copy of this Order on *pro se* Plaintiff, and file proof of service of this Order on the docket.

Dated: New York, New York  
September 11, 2023

SO ORDERED.



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Ona T. Wang  
United States Magistrate Judge